

Exhibit A

State of Illinois,
CIRCUIT COURT

SUMMONS

FILED
3/2/2023 7:30 AM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2023L002136
Calendar, N
21687290

Cook COUNTY

Instructions ▼

Enter above the county name where the case was filed.

Enter your name as Plaintiff/Petitioner.

Enter the names of all people you are suing as Defendants/ Respondents.

Enter the Case Number given by the Circuit Clerk.

RECEIVED MAR 15 2023

Ruben Ornelas

Plaintiff / Petitioner (First, middle, last name)

v.

Chexsystems, Inc.

Defendant / Respondent (First, middle, last name)

20231104639

Case Number

☐ **Alias Summons** (Check this box if this is not the 1st Summons issued for this Defendant.)

IMPORTANT INFORMATION:

There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: illinoiscourts.gov/documents-and-forms/approved-forms/.

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit efile.illinoiscourts.gov/service-providers.htm to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit illinoiscourts.gov/faq/gethelp.asp or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit illinoislegalaid.org.

Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at illinoislegalaid.org.

Plaintiff/Petitioner:

Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the *Eviction Summons*, *Small Claims Summons*, or *Summons Petition for Dissolution of Marriage / Civil Union* available at illinoiscourts.gov/documents-and-forms/approved-forms. If your case is a detinue or replevin, visit illinoislegalaid.org for help.

If you are suing more than 1 Defendant/Respondent, fill out a *Summons* form for each Defendant/Respondent.

In 1a, enter the name and address of a Defendant/ Respondent. If you are serving a Registered Agent, include the Registered Agent's name and address here.

In 1b, enter a second address for Defendant/ Respondent, if you have one.

In 1c, check how you are sending your documents to Defendant/ Respondent.

1. Defendant/Respondent's address and service information:

a. Defendant/Respondent's primary address/information for service:

Name (First, Middle, Last): Legal Department

Registered Agent's name, if any: Chexsystems, Inc.

Street Address, Unit #: P.O. Box 583399

City, State, ZIP: Minneapolis, MN, 55458

Telephone: Email:

b. If you have more than one address where Defendant/Respondent might be found, list that here:

Name (First, Middle, Last):

Street Address, Unit #:

City, State, ZIP:

Telephone: Email:

c. Method of service on Defendant/Respondent:

☐ Sheriff ☐ Sheriff outside Illinois:

County & State

☐ Special process server

☐ Licensed private detective

In 2, enter the amount of money owed to you.

In 3, enter your complete address, telephone number, and email address, if you have one.

2. Information about the lawsuit:

Amount claimed: \$ _____

3. Contact information for the Plaintiff/Petitioner:

Name (First, Middle, Last): Ruben Ornelas

Street Address, Unit #: 1670 Forest View Way

City, State, ZIP: Antioch, IL 60002

Telephone: (773) 592-2307 Email: rdornelas21@gmail.com

GETTING COURT DOCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

Important information for the person getting this form

You have been sued. Read all of the documents attached to this *Summons*.

To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: illinoiscourts.gov/documents-and-forms/approved-forms/.

Check 4a or 4b. If Defendant/Respondent only needs to file an *Appearance* and *Answer/Response* within 30 days, check box 4a. Otherwise, if the clerk gives you a court date, check box 4b.

In 4a, fill out the address of the court building where the Defendant may file or c-file their *Appearance* and *Answer/Response*.

In 4b, fill out:

- The court date and time the clerk gave you.
- The courtroom and address of the court building.
- The call-in or video information for remote appearances (if applicable).
- The clerk's phone number and website. All of this information is available from the Circuit Clerk.

4. Instructions for person receiving this *Summons* (Defendant):

- ☒ a. To respond to this *Summons*, you must file *Appearance* and *Answer/Response* forms with the court within 30 days after you have been served (*not counting the day of service*) by e-filing or at:

Address: 1670 Forest View Way

City, State, ZIP: Antioch, IL, 60002

- ☐ b. Attend court:

On: _____ at _____ ☐ a.m. ☐ p.m. in _____
Date Time Courtroom

In-person at:

Courthouse Address City State ZIP

OR

Remotely (You may be able to attend this court date by phone or video conference.

This is called a "Remote Appearance":

By telephone: _____

Call-in number for telephone remote appearance

By video conference: _____

Video conference website

Video conference log-in information (meeting ID, password, etc.)

Call the Circuit Clerk at: _____ or visit their website

Circuit Clerk's phone number

at: _____ to find out more about how to do this.

Website

STOP!

The Circuit Clerk will fill in this section.

STOP!

The officer or process server will fill in the Date of Service.

Witness this Date: _____

3/2/2023 7:30 AM IRIS Y. MARTINEZ

Clerk of the Court: _____



Seal of Court

This *Summons* must be served within 30 days of the witness date.

Date of Service: _____

(Date to be entered by an officer or process server on the copy of this *Summons* left with the Defendant or other person.)

STATE OF ILLINOIS, CIRCUIT COURT Cook <input checked="" type="checkbox"/> COUNTY		PROOF OF SERVICE OF SUMMONS AND COMPLAINT/PETITION	<i>For Court Use Only</i>
Instructions			
Enter above the county name where the case was filed.	Ruben Ornelas Plaintiff / Petitioner (First, middle, last name)		
Enter your name as Plaintiff/Petitioner.	v.		
Enter the names of all people you are suing as Defendants/Respondents.	Chexsystems, Inc. Defendant / Respondent (First, middle, last name)		
Enter the Case Number given by the Circuit Clerk.	<input type="checkbox"/> Alias Summons (Check this box if this is not the 1 st Summons issued for this Defendant.)		20231104639 Case Number

****Stop. Do not complete the form. The sheriff or special process server will fill in the form.****

My name is _____ and I state
First, Middle, Last

☐ I served the Summons and Complaint/Petition on the Defendant/Respondent

_____ as follows:
First, Middle, Last

☐ Personally on the Defendant/Respondent:

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____
On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
Address, Unit#: _____
City, State, ZIP: _____

☐ On someone else at the Defendant/Respondent's home who is at least 13 years old and is a family member or lives there:

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
Address, Unit#: _____
City, State, ZIP: _____
And left it with: _____

First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____
and by sending a copy to this defendant in a postage-paid, sealed envelope to the
above address on _____, 20 _____.

☐ On the Corporation's agent,

First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____
On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
Address: _____
City, State, ZIP: _____

FILED DATE: 3/2/2023 7:30 AM 2023L002136

Enter the Case Number given by the Circuit Clerk: _____

☐ I was not able to serve the *Summons* and Complaint/Petition on Defendant/Respondent:_____
*First, Middle, Last*I made the following attempts to serve the *Summons* and Complaint/Petition on the Defendant/Respondent:1. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

2. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

3. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

DO NOT complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

By: _____

Signature by: ☐ Sheriff
☐ Sheriff outside Illinois:

County and State

☐ Special process server
☐ Licensed private detective

FEES

Service and Return: \$ _____
Miles _____ \$ _____
Total \$ 0.00

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

*Print Name*If *Summons* is served by licensed private detective or private detective agency:

License Number: _____

FILED DATE: 3/2/2023 7:30 AM 2023L002136

Complaint - Verified (12/01/20) CCM 0008 A**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS****MUNICIPAL DEPARTMENT, 1st MUNICIPAL DISTRICT**

Ruben Ornelas

Plaintiff(s)

v.

Chexsystems, Inc.

Defendant(s)

Case No. 20231104639

Contract: _____

Amount Claimed: _____

Return Date: _____

COMPLAINT

The Plaintiff(s) claim(s) as follows (use last page if more space is required.):

I currently have an active lawsuit against Bank of America for innacurate reporting and negligence to which I am also pursuing punitive damages. I have attached a legal statement that was filed in that case to provide some context. I am filing this against the Defendant due to their negligence in not reviewing the information being provided by Bank of America to confirm that it was in fact accurate prior to placing that information on their platform. Additionally, I have filed multiple complaints directly to the Defendant as well as through the Consumer Financial Protection Bureau, with the attachments that can be found in the enclosed legal statement, clearly showing that the information related to me being involved in check fraud by altering a check dated 4/7/2015, was completely innacurate and false. As stated in the FCRA, "Consumer reporting agencies have assumed a vital role in assembling and evaluating consumer credit and other information on consumers". The Defendant had an obligation to thoroughly investigate what was being provided to them to determine whether or not that information was in fact accurate before displaying it. Due to their negligence, it has caused emotional distress (mental anguish, stress/anxiety, negligent infliction of emotional distress) that I dealt with for nearly five (5) years now trying to remove that inaccurate reporting.

I, _____, certify that I am
(Name)

the _____ plaintiff in the above entitled action.
(Name of Attorney if applicable)

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois**cookcountyclerkofcourt.org**

Complaint - Verified**(12/01/20) CCM 0008 B**

The allegations in this complaint are true.

C Atty. No.: _____

Dated: 2/13/20

● Pro Se 99500

Name: Ruben Ornelas

Atty. for (if applicable): _____

Signature

Address: 1670 Forest View WayCity: AntiochState: IL Zip: 60002Telephone: 773-592-2307Primary Email: rdornelas21@gmail.com

☒ Under penalties as provided by law pursuant to 735 ILCS 5/1-109 the above signed certifies that the statements set forth herein are true and correct.

Claims - continued

I was unable to bank with reputable financial institutions since the mark on that report prohibited me from opening a checking account anywhere. During that time of disputing to the Defendant directly, I was forced to use prepaid cards like GreenDot, until I was able to make the transition to Varo, Chime, and CashApp. These so called "online checking accounts" did not run consumer reports, but they did not offer the same resources that would be provided at banks such as Chase or Citibank. Simple things such as withdrawing from an ATM, I had to incur a fee because they did not have their own branches or ATMs. Aside from that, the embarrassment of having to respond to colleagues as to why I hold a card from an "online checking account" rather than your bigger banks. Additionally, when I was in the market for new jobs, or for credit cards or even automobiles, I'm more than certain that mark played a factor. In the FCRA, it defines the very purpose of the consumer report, which holds as much weight as your credit report. It is a representation of you as a consumer. As stated in the FCRA, the consumer report "is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing eligibility for (A) credit or insurance to be used primarily for personal, family, or household purposes; (B) employment purposes; or (C) any other purpose authorized under 604 [§168b]." The Defendant's negligence led to my loss in the categories listed above.

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois**cookcountyclerkofcourt.org**

Page 2 of 2

Ruben Ocasio

Plaintiff

v.

Case No.: 1:22-cv-06378

Honorable Steven C. Seeger

Bank of America N.A.

Defendant

RECEIVED KRA

1/25/2023

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTPLAINTIFF'S AMENDED LEGAL STATEMENT

Honorable Steven Seeger, in your recent order dated December 8, 2022, you state "the case is about the bank's failure to honor a check for \$747.68." I would like to hold myself accountable for not clearly providing the underlying reason for my initial complaint. This case has nothing to do with the Defendant not honoring my check or removing me as a client/customer of theirs. This has to do with the fact that the Defendant provided inaccurate information to two major consuming reporting agencies relating to the check for \$747.68, which has then caused extreme inconveniences for me in trying to bank with any other reputable financial institutions or allowing that information to be available on my consumer report, to which relevant parties such as prospective employers had the ability to view said inaccurate information. The basis of this entire case is that the Defendant alleges that the \$747.68 was altered by me, and for that reason, not only did they close my account with them, but also went as far as to report to Early Warning Services and Chexsystems that I was engaged in check fraud. This statement will cover at a high level, the failure of the Defendant to thoroughly investigate these claims when brought to their attention and the emotional distress (mental anguish, stress/anxiety, negligent infliction of emotional distress) that I dealt with for nearly five (5) years now trying to remove that inaccurate reporting. I'd like to note, although this case is against the Defendant, Bank of America, N.A., I have also raised these concerns with the consumer reporting agencies listed previously, and they too were negligent in this entire process. The facts presented in this statement will clarify why I would like to be compensated the amount listed on my initial Complaint, not only for the emotional distress/pain & suffering, but I am also requesting that you grant punitive damages given that the Defendant continues to allow this negligence amongst its many customers, including myself.

The Defendant has presented the facts that I attempted to deposit several checks via the mobile application on September 24, 2018, and on that same day, their system flagged a check from Allstate, my automobile insurance carrier, in the amount to \$747.68. Prior to depositing these checks, and this information has been verified by the Defendant, I contacted their customer service department to discuss the fact that I planned to deposit these checks. I informed the customer service representative that I had several checks that I was unsure had been cashed, and I wanted to know what the best course of action would be to determine that. Generally, when I deposit a check, I usually write "VOID" on the front of the check. Unfortunately, these checks did not have any markings. The customer service representative recommended that I just deposit the checks, and if in fact they were duplicative, they would just return them and that would flag which ones have been cashed already. My actions on September 24, 2018 to deposit those checks were based off of the sole recommendation of an employee of the Defendant. About a week after depositing these checks, I was informed by the Defendant via e-mail and mail correspondence that my account had been closed. When I contacted the Defendant to clarify why it had been closed, they mentioned that aside from depositing duplicative checks, the main reason for the closure of the account was because I altered one of those deposited checks. Every day, with the progress of technology and the introduction of mobile deposit for checks, I can say with certainty that the Defendant has experienced its fair share of individuals that deposit a duplicate check, where the Defendant simply returns the check and notifies them that the check had already been cashed. With that being said, I can assure you that the alleged act of altering the check for \$747.68 is the only reason for the closure of my account, and the Defendant fails to admit that.

At the time of the closure of my account, I was given only one option to remedy the situation, and that was to send a written appeal to their office in Jacksonville with the address of FL9-600-02-99, P.O. Box 44145, Jacksonville, FL 32231. That appeal was sent around November 2018 with supporting

documentation that included clear copies of all checks that I deposited to show that none had been altered. It took a few months before I followed up with the Defendant about my appeal, to which at that time I was told that their decision remained to keep my account closed. While on that call, once again, I made it abundantly clear that I accepted that they no longer wanted me as a customer, but that I was more concerned about the "check fraud" alert that was placed on my consumer report. The Defendant stood by their decision to report that to the consumer reporting agencies. So once again, I filed another appeal with the Defendant. This time around, it took quite some time before hearing back from the Defendant on my appeal. The times that I would follow up to get status, I would either be told that they were unfamiliar with my appeal or that they were still looking into it. This went on of the next couple of years given that I was unaware of my options as a consumer to use agencies like the Consumer Financial Protection Bureau to raise issues like this. In the interim, I was unable to bank with reputable financial institutions since when reviewing my consumer report, the mark on that report that the Defendant inaccurately reported prohibited me from opening a checking account anywhere. I don't have any of the denials from previous years, but I am providing a few of the letters I received recently with this statement for your reference. During the three (3) or so years that I was waiting on a response from the Defendant after submitting my second appeal, I was forced to use prepaid cards like GreenDot, until I was able to make the transition to Varo, Chime, and CashApp. These so called "online checking accounts" did not run consumer reports, but they did not offer the same resources that like Chase or Citibank. Simple things such as withdrawing from an ATM, I had to incur a fee because they did not have their own branches or ATMs. Aside from that, the embarrassment of having to respond to colleagues as to why I hold a card from an "online checking account" rather than your bigger banks. Additionally, when I was in the market for new jobs, or for credit cards or even automobiles, I'm more atgehan certain that mark played a factor. In the FCRA, it defines the very purpose of the consumer report, which holds as much weight as your credit report. It is a representation of you as a consumer. As stated in the FCRA, the consumer report "is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing eligibility for (A) credit or insurance to be used primarily for personal, family, or household purposes; (B) employment purposes; or (C) any other purpose authorized under 604 [§168b]." The Defendant's negligence led to my loss in the categories listed above.

It was not until the beginning of 2022, after a call to the Defendant to ask for status on my appeal, and I was told that they were still working on it, that I was informed of the Consumer Financial Protection Bureau ("CFPB"). I filed my first complaint to the CFPB against the Defendant on April 29, 2022, and went on to file a few more after: May 31, 2022; June 18, 2022; and June 28, 2022. In addition to filing complaints to the Defendant, I also included the Chexsystems and Early Warning Services within those complaints, so all parties had the obligation to respond to my complaint. For every complaint, the Defendant provided the same response, and continued to believe that my complaint was based on me wanting to become a Bank of America customer again, when it was about removing that mark on my report. Their response was that I deposited several checks that were duplicates/cashed already and one of them happened to be altered. In addition, I would get letters from the Defendant, that I have received prior to filing complaints to the CFPB, where they state that they reviewed my inquiry and after I have provided them a substantial amount of information/documentation, their response was simply "the account information is being reported accurately to your file". Nothing else is provided. There is no explanation to the consumer, and these letters are not tailored towards the individual that has filed the inquiry. They are simply sending out the same letters, short and vague. What is a consumer/customer supposed to gather from that one-line response. I would think that these financial institutions have an

obligation to at least state the reasons behind their decision, especially when the consumer/customer takes the time to draft up a statement with documentation to include in their inquiry.

Fortunately, given that I also included Chexsystem and Early Warning Services in my complaint to the CFPB, Chexsystem did in fact provide me with information that they obtained directly from "the source", which was confirmed is the Defendant. In the first couple of reports, Chexsystem states the following:

"The source has informed that on 09/24/2018, an altered check for \$747.68 was deposited via mobile. This activity caused the closure of the account"

That language is used word for word in the Chexsystems reports dated May 2022, and two in June 2022. I have the two responses from June for your reference. I would also like to note that within the response from Chexsystem, they provided supporting documentation that they received from the Defendant. One of those documents was a copy of the check that the Defendant alleges I altered, and on that same document, you can see information provided on the top and bottom of the copy of the check. That is typed words from the Defendant. I'd like to point out that on every copy of that check that was sent to me with every Chexsystem response, if you look at the routing number of the actual check, then look at the number typed by the Defendant at the top, they missed one "8" at the end of the routing number. I believe that given that the Defendant missed adding that one "8" at the end of the routing number within their system, they flagged it as if I altered the check, when in fact I did not. When I realized this error, I raised it to the CFPB in another complaint. At the time, the Defendant had someone by the name of Jenny Diaz, who I believe worked in their Compliance department. I would reach her by dialing 877-430-1431 Ext. 437831. At the time, I explained to Jenny that I realized an internal had occurred which is why they were under the impression that I altered the check. We communicated via the Defendant's platform, Enterprise Solutions, so unfortunately, I did not have access to all our communications but have provided a few of my messages to her and her last message to me to provide dates as to when we talked. Jenny was provided an email from my automobile insurance carrier at the time, Allstate, verifying the check and providing a clear and colored copy of the check along with the Power of Attorney. When I provided this to Jenny, she, and the Defendant (she indicated that she raised this to the relevant teams within Bank of America to review) decided to continue to deny my claims and keep the mark on my report. That prompted me to file another complaint with the CFPB. As stated, Jenny received my information late June/early July. The response I provided with this statement from Jenny is dated 7/7/2022. I am also providing a response from Chexsystem dated 7/11/2022, where rather than the Defendant providing the consistent language, they gave Chexsystems in prior inquiries/complaints, this time around they completely removed the language provided above. It is not a coincidence that after I raise this to them, they decide to hold that off from the very last response sent to me. It is abundantly clear that the Defendant chose to leave that out from their response to Chexsystem given the new information they were given by me.

This has led us to where we are now. I filed a complaint with hopes to settle this matter, your Honor. The Defendant has reached out to ask for my settlement demand, which was given. The Defendant's counsel has clearly indicated that his client does not want to provide any type of compensation for this matter but are willing to provide me with the cost of litigation, which they calculated to be no more than \$4-\$5,000 USD. I've worked in the legal field for most of my professional life and have seen what billing looks like for a firm as reputable as McGuire Woods. In fact, when

working in-house, we hired McGuire Woods as outside counsel, and their billing did not seem that inexpensive. Quite honestly, if this case were to continue to trial, with depositions and all, I would assume the cost of litigation would be much higher than what the Defendant claims it will be. In addition to the Defendant's refusal to compensate me as part of settlement, the Defendant's counsel has made it clear that "altered" within the Chexsystem reports was another way of saying "duplicate". Not certain if he was speaking on behalf of his client, but I find that hard to believe given that every report claims I deposited several "duplicate" checks, yet they only mention one being "altered", and that is the check for \$747.68.

Your Honor, I would hope that with the facts presented in this statement along with the supporting documentation, you can assist with this settlement process. As you stated in your order dated January 9, 2023, these matters do "take time and drains judicial resources." There is no need to prolong this when I am willing to settle this matter but hoping that the Defendant can be more reasonable given the time that I have spent, and the emotional distress this has caused me. Our nation's legislative body states the following within the FCRA, and this is the very first item listed within the act:

"The banking system is dependent upon fair and accurate credit reporting. Inaccurate credit reports directly impair the efficiency of the banking system, and unfair credit reporting methods undermine the public confidence which is essential to the continued functioning of the banking system."

If we allow for the Defendant's continued negligence in providing inaccurate reporting, then our banking system will never be efficient, and most importantly, they will lose the confidence of the very people that help keep them in business and allow for this current banking system to thrive. For that reason, I am asking that you also grant punitive damages along with compensation for emotional distress/pain & suffering, which explains the amount claimed in my initial Complaint. I'd like to end by thanking you for your time on this matter and apologize for delaying my response.

Ruben Ornelas

Ruben Ornelas

2023L002136

FILED DATE: 3/2/2023 7:30 AM

Missing an "8" at the end.

Amount: \$747.68 Sequence Number: 7552300793
 Account: 3299041279 Capture Date: 09/24/2018
 Bank Number: 06111278 Check Number: 553514874

CLAIM NO.
 REQUIRED
 CLAIMANT
 IN
 PAYMENT
 FOR

0361449580
 RUBEN ORNELAS

Policy 922724528

Allstate

Bank of America
 Customer Connection
 Bank of America NA
 Atlanta, GA 30303, Georgia

611

553514874

In payment for Collision for Date of Loss 3/15/2015.

Date 4/7/2015

PMCO 4500

Check 553514874
 Employee MARY HILL

PAY

Seven Hundred Forty-Seven & 68/100 USD

747.68

TO THE
 ORDER
 OF

RUBEN ORNELAS

Allstate Fire and Casualty
 Insurance Company

3357 W 69TH PL, CHICAGO, IL 60629-3622 US

VOID IF NOT PRESENTED WITHIN THREE HUNDRED SIXTY-FIVE DAYS OF THE DATE OF ISSUE

Mary Hill

553514874 061112788 329 904 1279*

ACTUAL ROUTING NUMBER OF CHECK

Electronic Endorsements

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
09/24/2018	7552300793	11000138	Rtn Loc/BOFD	Y		Bank of America NA

Consumer Relations
PO Box 583399
Minneapolis, MN 55458
www.chexsystems.com
Phone: 800.513.7125; Fax: 602.659.2197

ChexSystems®

0000004 D29271L0061522471556 000000 000071 024

RUBEN ORNELAS
1670 FOREST VIEW WAY
ANTIOCH IL 60002

Date: 06/15/2022
Consumer ID: 25656600

Dear RUBEN ORNELAS,

This letter pertains to communication that Chex Systems, Inc. (ChexSystems) has received about information contained in our files. ChexSystems is a nationwide specialty consumer reporting agency under the federal Fair Credit Reporting Act (FCRA).

What you need to know:

- The reinvestigation of the following disputed information is complete. If other information was disputed, you will receive additional written notification from ChexSystems of those results.

Source of Information: BANK OF AMERICA; PO BOX 44145, JACKSONVILLE, FL 32231
Phone Number: 877.253.3511

Reported For: SUSPECTED FRAUD ACTIVITY; REPORT IS DISPUTED BY
CONSUMER(S), AND VERIFIED ACCURATE BY FI;

Reported Name: RUBEN ORNELAS

Reported Address: 3357 W 59TH PL
CHICAGO, IL 60629-3622

Reported SSN/ID: XXX-XX-4928

Driver's License: XXXXXXXX8177 State: IL

Date of Closure: 10/05/2018

RTN/ACCT#: 081904808 / XXXXXXXX2504

Closure Status: SETTLED IN FULL

Closure Status Date: 10/05/2018

- The source has verified the information they submitted to be accurate and complete. As a result, it will remain on file at ChexSystems.
- The source has verified that the account was closed without a monetary loss. The account was reported with a Settled In Full status. This status does not negate the reporting of the account to ChexSystems and is intended only to reflect that no original charge-off amount was reported.
- The source has informed that on 09/24/2018, an altered check for \$747.68 was deposited via mobile. This activity caused the closure of the account.
- Enclosed is a copy of check and account statement for your reference.
- Enclosed is a copy of the consumer disclosure report, which was created by using the identifiers provided to us.



This language is consistent amongst all Chexsystem responses until their response on 7/11/2022, which happened to be after I spoke with Jenny Diaz and flagged that there was a mistake made on their part in missing that one "8" at end of routing number.

00000004-001-024-T29271L0061522471556-FLA TD1-00-0-00000071

Consumer Relations
PO Box 583399
Minneapolis, MN 55458
www.chexsystems.com
Phone: 800.513.7125; Fax: 602.659.2197

ChexSystems[®]

000001 D29271L0062522471724 000000 000023 023

RUBEN ORNELAS
1670 FOREST VIEW WAY
ANTIOCH IL 60002

Date: 06/25/2022
Consumer ID: 25656600

Dear RUBEN ORNELAS,

This letter pertains to communication that Chex Systems, Inc. (ChexSystems) has received about information contained in our files. ChexSystems is a nationwide specialty consumer reporting agency under the federal Fair Credit Reporting Act (FCRA).

What you need to know:

- This letter provides the information recently requested.
- As stated in previous correspondence, the reinvestigation of the following disputed information was previously completed:

Source of Information: BANK OF AMERICA; PO BOX 44145, JACKSONVILLE, FL 32231
Phone Number: 877.253.3511

Reported For: SUSPECTED FRAUD ACTIVITY; REPORT IS
DISPUTED BY CONSUMER(S), AND VERIFIED ACCURATE BY
FI; ANY AMOUNTS OWED HAVE BEEN PAID;
Reported Name: RUBEN ORNELAS
Reported Address: 3357 W 59TH PL
CHICAGO, IL 60629-3622
Reported SSN/ID: XXX-XX-4928
Driver's License: XXXXXXXX8177 State: IL

Date of Closure: 10/05/2018
RTN/ACCT#: 081904808 /
XXXXXXXX2504

Closure Status: SETTLED IN
FULL
Closure Status Date:
10/05/2018

- Results of the reinvestigation were:
- The source has verified the information they submitted to be accurate and complete. As a result, it will remain on file at ChexSystems.
- The source has verified that the account was closed without a monetary loss. The account was reported with a Settled in Full status. This status does not negate the reporting of the account to ChexSystems and is intended only to reflect that no original charge-off amount was reported.
- The source has informed that on 09/24/2018, an altered check for \$747.68 was deposited via mobile. This activity caused the closure of the account.
- Enclosed is a copy of check and account statement for your reference.

This language is consistent amongst all Chexsystem responses until their response on 7/11/2022, which happened to be after I spoke with Jenny Diaz and flagged that there was a mistake made on their part in missing that one "8" at end of routing number.

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00000001-001-023-729271L0062522471724-FLAT01-00-D-00000023

000322 0001-005-729271L0071122471888

RUBEN ORNELAS

1670 FOREST VIEW

ANTIOCH IL 60002

Date: 07/11/2022

Consumer ID: 25656600

Dear RUBEN ORNELAS,

This letter pertains to communication that Chex Systems, Inc. (ChexSystems) has received about information contained in our files. ChexSystems is a nationwide specialty consumer reporting agency under the federal Fair Credit Reporting Act (FCRA).

What you need to know:

- The reinvestigation of the following disputed information is complete. If other information was disputed, you will receive additional written notification from ChexSystems of those results.

Reported For: SUSPECTED FRAUD ACTIVITY; REPORT IS DISPUTED BY CONSUMER(S), AND VERIFIED ACCURATE BY FI;

Reported Name: RUBEN ORNELAS

Reported Address: 3357 W 59TH PL
CHICAGO, IL 60629-3622

Reported SSN/ID: XXX-XX-4928

Driver's License: XXXXXXXX8177 State: IL

Date of Closure: 10/05/2018

RTN/ACCT#: 081904808 / XXXXXXXX2504

Closure Status: SETTLED IN FULL

Closure Status Date: 10/05/2018

- The source has verified the information they submitted to be accurate and complete. As a result, it will remain on file at ChexSystems.
- The source has verified that the account was closed without a monetary loss. The account was reported with a Settled In Full status. This status does not negate the reporting of the account to ChexSystems and is intended only to reflect that no original charge-off amount was reported.
- Enclosed is a copy of the consumer disclosure report, which was created by using the identifiers provided to us.

Following text no longer presented:

"The source has informed that on 09/24/2018, an altered check for \$747.68 was deposited via mobile. This activity caused the closure of the account."

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FILED DATE: 3/2/2023 7:30 AM 2023L002136



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Reply Reply All Save As

Help

RE: Response to your Inquiry

Digital Signature is VALID ✓

From: rdomelas21@gmail.com
To: rdomelas21@gmail.com, enterprise.resolution@bankofamerica.com
Cc:
Sent: 1/1/2022 8:20:34 AM

Good morning Yenny:

This is the second email I have sent you in the past two days to discuss this matter. Additionally, I called you yesterday at 12:28 pm CST and this morning at 10:06 am CST and left voicemails both times. I have yet to hear from you or anyone else at this time. Once again, in my previous email I provided documents clearly showing the check that was deposited via your mobile app and a colored copy of the original check, showing no discrepancies or any signs of it being altered by me. I'd like to clear this up and also discuss what can be done to make up for the nearly 5 years of your team consistently indicating that your reporting was accurate when in reality it had not been, leaving me with no options to bank with anyone else, let alone having prospective employers see that mark when pulling my consumer report. I look forward to hearing from you or someone from Bank of America soon.

Regards,

Ruben Ornelas

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RE: Response to your Inquiry

Digital Signature is VALID ✓

From: rdomelas21@gmail.com
 To: rdomelas21@gmail.com, enterprise.resolution@bankofamerica.com
 Cc:
 Sent: 7/7/2022 8:20:34 AM

Thank you for your response. I have submitted the attached complaint to the CFPB and have also sent to Early Warning Services and Chex Systems. Your letter seems to indicate that I want to open an account with Bank of America. That is not the case. The basis of my inquiry/complaint is to remove the "check fraud" your institution reported to the consumer reporting agencies. Please see the language provided in the complaint below, as well as what I attached for their review. As you can see, comparing the check that was deposited via your mobile app with a clear colored copy provided to me by the check issuer, you will see nothing was altered. In addition, I still hold the original check, to which I am able to provide to a local branch to authenticate. That being said, I plan to send a demand letter as well as a draft of the complaint I plan to file. If you can provide me with your Legal Department's mailing address, that would be much appreciate. Feel free to contact me via email or my cell to discuss further.

I filed a previous complaint relating to Bank of America reporting that I engaged in check fraud by altering a check dated 4/7/2015 in the amount of \$747.68. I'd like to confirm that I have reached out to my local Allstate office to confirm whether or not the check that I deposited to Bank of America looked altered. They confirmed that the information on the check that was deposited was accurate and not

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RE: Response to your Inquiry

Digital Signature is VALID ✓

From: rdomeias21@gmail.com
 To: rdomeias21@gmail.com, enterprise.resolution@bankofamerica.com
 Cc:
 Sent: 7/7/2022 8:20:34 AM

I filed a previous complaint relating to Bank of America reporting that I engaged in check fraud by altering a check dated 4/11/2015 in the amount of \$747.68. I'd like to confirm that I have reached out to my local Allstate office to confirm whether or not the check that I deposited to Bank of America looked altered. They confirmed that the information on the check that was deposited was accurate and not altered, meaning I went through close to 5 years not being able to open an account with a reputable bank due to the lack of thorough investigation by Bank of America. If in fact that felt it was altered, they could have simply reached out to the check issuer to confirm whether or not it was altered. Instead, they chose to make that decision on their own, and quite honestly, the BBB has multiple complaints relating to the same. I have attached emails confirming that the check is valid, as well as a copy of the original check. I have also provided a copy of the check that Bank of America believed was altered so that you can compare that information. Lastly, I have also provided an email from my local Allstate office confirming that the check was valid. I'd also like to add that Chex System did mail me a letter confirming the information that I had initially attempted to dispute. I have attached their findings to this complaint for your review. In the complaint, it clearly states that "the source has informed that on 09/24/2018, an altered check for \$747.68 was deposited via mobile. This activity caused the closure of the account." To confirm that the check has not been altered, I have provided correspondence from the check issuer, a clear copy of the front of the check, and a copy of the check that was deposited via Bank of America's mobile deposit. I plan to pursue legal action due to the inconvenience of not being able to open an account for 5 years due to inaccurate information being provided by Bank of America.

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BANK OF AMERICA

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RE: Response to your Inquiry

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From: rdomelas21@gmail.com
To: rdomelas21@gmail.com, enterprise.resolution@bankofamerica.com
Cc:
Sent: 7/7/2022 8:20:34 AM

Good morning Yenny:

I have called twice and left voicemails this week and have yet to hear back. We spoke last Wednesday, June 29th 2022, where I provided you with supporting documentation clearly showing that the check your team claims I altered, was never altered to begin with. To that point, you planned to forward this to your team to review again and indicated you would update me given that your institution has inaccurately reported that I engaged in check fraud to the consumer reporting agencies. That has been on my consumer report for nearly 4 years. Keep in mind, during those 4 years, I communicated with Bank of America several times to have this removed given that it was inaccurate, and your team failed to give me any details to the point where I felt there was never a thorough investigation into this. I am hoping to hear from you soon. Feel free to reach out to my cell at 773-592-2307.

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RE: Response to your Inquiry

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From: rdomelas21@gmail.com
To: rdomelas21@gmail.com, enterprise.resolution@bankofamerica.com
Cc:
Sent: 7/7/2022 8:20:34 AM

Ruben Ornelas

I've carefully reviewed your correspondence and want to let you know our response. Please see the attached letter and attachments for further information.

Our clients are important to us and we thank you for giving us the opportunity to address your concerns. If there's anything else you need, please call me at 877.430.1431, Extension:437831, Monday through Friday, 7:30 a.m. to 4:00 p.m. ET

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Wells Fargo Bank, N.A.
PO Box 5141
Sioux Falls, SD 57117-5141



May 20, 2022



000513 L2TCBD40
Ruben Omelas
1670 Forest View Way
Antioch, IL 60002

Subject: Decision about your recent application for a deposit account

Thank you for your recent application for a Wells Fargo deposit account. We are unable to open the account for which you applied at this time. If you were able to successfully open the account for which you applied, we are providing this letter for your awareness of the use of the consumer report.

About our decision and your consumer report

Our decision about your application was based in whole or in part on information in a consumer report (often called a credit report) from the consumer reporting agency below. This agency was not involved in our decision and cannot provide specific reasons why we are not able to offer you an account at this time.

However, we want to make sure you're aware of your right under the Fair Credit Reporting Act to know the information in your credit file, and to receive a free copy of your consumer report from the agency if you request it within 60 days after you receive this notice. If you find that any information in the report is inaccurate or incomplete, you have the right to dispute it with the reporting agency. To obtain a free copy of your report, please contact:

Early Warning Services
16552 N 90th Street
Suite 100
Scottsdale, AZ 85260
1-800-204-4616
<https://www.earlywarning.com/consumer>

The federal agency that administers compliance with this law concerning this creditor is:

Bureau of Consumer Financial Protection
1700 G Street NW
Washington DC 20006

For more information about credit reports and your rights under federal law, you can visit the Consumer Financial Protection Bureau's web site at www.consumerfinance.gov/learnmore

Thank you for your interest in Wells Fargo.

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001902 L2TCBDB6
Ruben Omelas
1670 FOREST VIEW WAY
ANTIOCH, IL 60002-6204

Subject: Decision about your recent application for a deposit account

Thank you for your recent application for a Wells Fargo deposit account. We are unable to open the account for which you applied at this time. If you were able to successfully open the account for which you applied, we are providing this letter for your awareness of the use of the consumer report.

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However, we want to make sure you're aware of your right under the Fair Credit Reporting Act to know the information in your credit file, and to receive a free copy of your consumer report from the agency if you request it within 60 days after you receive this notice. If you find that any information in the report is inaccurate or incomplete, you have the right to dispute it with the reporting agency. To obtain a free copy of your report, please contact:

Early Warning Services
16552 N 90th Street
Suite 100
Scottsdale, AZ 85260
1-800-204-4616
<https://www.earlywarning.com/consumer>

The federal agency that administers compliance with this law concerning this creditor is:

Bureau of Consumer Financial Protection
1700 G Street NW
Washington DC 20006

For more information about credit reports and your rights under federal law, you can visit the Consumer Financial Protection Bureau's web site at www.consumerfinance.gov/learnmore

Thank you for your interest in Wells Fargo.

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Ruben Ornelas
1670 Forest View Way
Antioch IL 60002

CERTIFIED MAIL



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Chexsystems, Inc.
Attn: Legal Department
P.O. Box 583399
Minneapolis MN 55458



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